BILL NUMBER G- 83-07-21 (as amended).

GENERAL ORDINANCE NUMBER G- 2/-

An Ordinance amending General Ordinance Number G-14-81 dealing with animal control.

WHEREAS, General Ordinance Number G-14-81 adopted September 22, 1981, enacted §§6-1 - 6-53 into The Code of the City of Fort Wayne, Indiana of 1974; and,

WHEREAS, there is need to repeal and amend certain provisions of The Code of the City of Fort Wayne dealing with animals and fowl.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Fort Wayne, as follows:

Section 1. Where hereafter used or referred to in this ordinance The Code of the City of Fort Wayne, Indiana, of 1974 shall be designated as "the Code".

Section 2. Article I. Definitions Sec. 6-1 of the Code is amended as follows:

Cattery: Any person, group of persons, partnership or corporation engaged in keeping more than three (3) unaltered cats.

Kennel: Any person, group of persons, partnership or corporation engaged in keeping more than three (3) unaltered dogs or the business of boarding or training for a fee or grooming.

Section 3. There is hereby added to Article III, Sec. 6-4 the following:

(21) Puppies and Kittens Sale etc. No puppy or kitten which is under the age of eight (8) weeks may be offered for sale, trade or for other compensation or for free give away; (except a puppy or kitten or litter or litters may be taken to the animal control shelter).

Article III/ of the Code is further amended by changing the numbering of existing paragraphs (21) through (28) of Sec. 6-4 to read (21), (22), (23), (24), (25), (26), (27), (28) and (29) and by revoking in its entirety existing paragraph (29) of said Sec. 6-4 and by substituting therefor, the following:

(30) Penalties. Any violation of the above paragraphs (1) to (28) will result in a fine 1 on accordance with Sec. 6-53 of Article X of the Code. 2 Section 4. Sec. 6-8 of Article V of the Code entitled 3 Kennel/Cattery Permits is amended as follows: 4 Any person owning or harboring more than three (3) unaltered dogs over the age of six (6) months must apply for a kennel/cattery permit. Any person owning or harboring more than three (3) unaltered cats over the age of six (6) 7 months must apply for a kennel/cattery permit. 8 Section 5. Sec. 6-9 of Article V of the Code entitled 9 "Professional breeder's permit" is amended as follows: 10 Paragraph (1) thereof is revoked and the following 11 is substituted therefor: 12 (1) Any person who for pay causes the breeding of a male or female cat or dog or makes a cat 13 or dog available for breeding purposes and who offers for sale or sells, trades or for other compensation or for free give away, (except a dog, cat, puppy or kitten or litters 14 15 thereof taken to the animal control shelter) and who obtains a kennel or cattery permit 16 shall pay an annual permit fee of One Hundred Dollars (\$100.00) in order to obtain a professional 17 breeder's permit and number. 18 Paragraphs (6) (7) and (8) thereof are revoked and the following are substituted thereof. 19 Any person who advertises in the newspaper, 20 peridicals or printed publications, or on radio or television, or telephonic communication, or by 21 word of mouth, any animals for sale, trade, or other compensation, or for free give away; 22 a puppy or kitten or litter or litters of them taken to the animal control shelter) must also advertise 23 the valid permit number. 24 All animals offered for sale, trade or other compensation or for free give away (except an animal(s) 25 taken to the animal control shelter) must be immunized against common disease. 26 (8) No person may offer a puppy or kitten under the 27 age of eight (8) weeks for sale, trade or other compenstation or for free give away; (except a puppy or 28 kitten or litter or litters of them taken to the animal control shelter 29 Section 6. Paragraphs (1), (6), (7) and (8) of Sec. 6-10 of Article 6-10 of Article V of the Code entitled Domestic household 30 breeder's permit are revoked in their entirety and the following 31 are substituted therefor: 32 (1) Any person for pay or other compensation causes the breeding of a male or female cate or dog or makes a cat or dog available for breeding purposes and who offers for sale or sells, trades, or for other compensation or for free give away, (excodog, cat, puppy or kitten or litter of litters (except a

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therefor taken to the animal control shelter), and who does not qualify for a kennel or cattery permit shall not be permitted to allow the whelping of more than one litter in his or her or any other domestic household in a twelve-month period.

- (6) Any person who advertises in the newspaper, periodicals or printed publications, or on radio, or television, or telephonic communication, or by word of mouth, any animals for sale, trade, or other compenstion, or for free give away; (except a puppy or kitten or litter or litters of them taken to the animal control shelter) must also advertise the valid permit number.
- (7) All animals offered for sale, trade or for other compensation or free give away must be immunized against common diseases.
- (8) No puppy or kitten under the age of eight (8) weeks may be offered for sale, trade or for other compensation or for free give away, (except a dog, cat, puppy or litten or litter or litters thereof taken to the animal control shelter).
- Section 7. Sec. 6-13 of Article V of the Code entilted "Pet shop permit" is amended to read as follows:
 - (6) No puppy or kitten under the age of eight (8) weeks may be offered for sale, trade or for other compensation, or for free give away (except a puppy or kitten or litter or litters taken to the animal control).

Section 8. Sec. 6-19 of Article VI of the Code entitled Fees is amended to read as follows:

In addition to all other fees required by law to be paid the following fees shall be paid:

(1) Pet registration:

For the years 1984, 1985 and the subsequent years which years shall commence on February 1 and end on the succeeding January 30:

Each altered dog or cat for the year commencing February 1, 1984 \$ \$2.00

Each unaltered dog or cat for the year commencing February 1, 1984 \$10.00

Each unaltered dog or cat for the year commencing February 1, 1985...... \$15.00

Each unaltered dog or cat for the year commencing February 1, 1986 and successive years.....\$20.00

- Upon a statement from a licensed veterinarian setting forth that the neutering of the animal shall constitute a threat to the health of that animal the payment of the permit fee for unaltered animal shall not be required but said animal shall be classified as an altered animal for purposes of permit registration and fees.
- Handicapped person:

Any handicapped owner of a dog which is used for seeing or hearing purposes shall be exempt from a permit fee.

🔪 Senior Citizen exemption:

Beginning with the year commencing February 1, 1984 and

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any subsequent years any owner of a cat or dog sixtytwo (62) years of age or older who owns an altered animal may receive his or her permit free of charge; provided howevers

(If the animal of any such person has not been spayed or neutered, said person who is sixty-two (62) or more years of age shall pay the same permit fee and be subject to the above pet registration fees and charges as otherwise required for any animal.

Section 9. There is hereby added to Article VI Sec. 6-17 of the Code the following:

(6) It shall be unlawful for any owner of any dog or cat to fail to provide any dog or cat over the age of six (6) months with a current pet registration as provided in this section of the Code.

The owner of any dog or cat, which dog or cat is over the age of six (6) months must also have a current rabies vaccination tag showing that such animal has been vaccinated against rabies as otherwise provided in Sec. 6-1. No permit shall be issued unless proof of vaccination against rabies is shown at the time of application for the permit.

Any owner of such animal who moves into the city for purposes of establishing or residing or who becomes a resident as result of annexation shall have thirty (30) days in which to obtain the permit required by this chapter.

Section 10. Sec. 6-45 of Article XI of the Code entitled Substances permitted for use is hereby revoked in its entirety and the following is substituted therefor:

Sec. 6-45 Substances permitted for use. The Fort Wayne Humane Shelter, other animal shelters, and/or public animal facilities which destroy animals in the City of Fort Wayne, Indiana, shall use only sodium pentabarbitol or a derivative substance for said purpose.

Section 11. Sec. 6-53 of Article X of sec. 6-53 of the Code is hereby repealed in its entirety and the following is substituted therefor:

Sec. 6-53 Penalty

Any person who violates the provisions of this article, upon conviction thereof shall be punished by a fine not to exceed \$2,500.00.

Section 12. The provisions of this ordinance are intended to amend, repeal and supplement only those provisions of Chapter 6 of the Code herein specifically referred to. In all other resepcts except as herein amend, repealed or supplemented Chapter 6 of the Code shall remain in full force and effect.

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Section 13. This ordinance shall be in full force and effect from and after its passage, lawful publication and approval by the Mayor. Janet G. Beelherry Approved as to form and legality: John H. Logan
Attorney for the Common Council
of the City of Fort Wayne, Indiana.

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			WIN MOSES, JE	R MAYOR	

BILL NO. G-83-07-21 (as amended) ANNEXATION REPORT OF THE COMMITTEE ON ANNEXATION WE, YOUR COMMITTEE ON TO WHOM WAS REFERRED AN ORDINANCE amending General Ordinance Number G-14-81 dealing with animal control HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE PASS. JANET G. BRADBURY, CHAIRMAN SAMUEL J. TALARICO, VICE CHAIRMAN JAMES S. STIER PAUL M. BURNS DONALD J. SCHMIDT

Concurred in 7-26-83. Sandra f. Lennedy

WITNESSES FOR ANIMAL ORDINANCE:

MRS. WEIMER

JEROME HENRY

BILL KINTZ

ISABELLE ROMY

SHARON LAPP

DOROTHY FRARY

line 18 add: and who obtains a kennel fine 18 add: and who obtains a kennel or cattery permit.

Line 30 Welete entire sentence

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(30) Penalties. (30) Penalties. Any violation of the above paragraphs (1) to (28) will result in a fine in accordance with Sec. 6-53 of Article X of the Code.

Section 4. Sec. 6-8 of Article V of the Code entitled Kennel/Cattery Permits is amended as follows:

- Any person owning or harboring more than three (3) unaltered dogs over the age of six (6) months must apply for a kennel/cattery permit.
- Any person owning or harboring more than three (3) unaltered cats over the age of six (6) months must apply for a kennel/cattery permit.

Section 5. Sec. 6-9 of Article 'V of the Code entitled "Professional breeder's permit" is amended as follows:

Paragraph (1) thereof is revoked and the following is substituted therefor:

Any person who for pay causes the breeding of a male or female cat or dog or makes a cat or dog available for breeding purposes or who offers for sale or sells, trades or for other compensation or for free give. away; (except a dog, cat, puppy or kitten or litter or litters thereof taken to the animal control shelter) + shall pay an annual permit fee of One Hundred Dollars (\$100.00) in order to obtain a professional breeder's permit and number.

Paragraphs (6), (7) and (8) thereof are revoked and the following are substituted thereof.

- Any person who advertises in the newspaper, (6) periodicals or printed publications, or on radio, or television, or telephonic communication, or by word of mouth, any animals for sale, trade, or other compensation, or for free give away; (except a puppy or kitten or litter or litters of them taken to the animal control shelter) must also advertise the valid permit number.
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- Noperson may offer a puppy or kitten under the age of eight (8) weeks for sale, trade or other compensation or for free give away; (except a puppy or kitten or litter or litters of them taken to the animal control shelter

Existing paragraph (9) hereby becomes paragraph (8).

Section 6. Paragraphs (1), (6), (7) and (8) of

Sec. 6-10 of Article V of the Code entitled Domestic household breeder's permit are revoked in their entirety and the following are substituted therefor:

> Any person for pay or other compensation (1) causes the breeding of a male or female cat or dog or makes a cat or dog available for breeding purposes and who offers for sale or sells, trades, or for other compensation or for free give away, (except a dog, cat, puppy or kitten or litter or litters

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WITNESSES FOR ANIMAL ORDINANCE:

MRS. WEIMER

JEROME HENRY

BILL KINTZ

ISABELLE ROMY

SHARON LAPP

DOROTHY FRARY

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2736 Dodge Avenue Fort Wayne, Indiana 46805

July 19, 1983

TO: Members, Common Council City of Fort Wayne

Re: Animal License Fee Ordinance

The Board of Directors of The Fort Wayne Humane Society, commends the Council for their continuing efforts in the care of animals and in the reduction of the animal population of the city. Proper licensing is but one measure in this process and in the spirit of developing the best form of licensing, we submit the following suggestions on the Ordinance now under consideration.

- 1. The present \$5.00 license fee has not resulted in significant voluntary compliance. Assuming the license cost to be a factor, it seems probable that \$20.00 for a license will result in significant lesser compliance at least on a voluntary basis.
- 2. The cost of animal licenses should be determined within the perspective of costs for other licenses with which the general citizenry is confronted as distinguished from specialized areas that touch only a commercial or otherwise limited group. We recommend an examination of other such license charges so that the annual cost of a license for a dog or cat will appear reasonable within this relationship.
- 3. When the Comprehensive Humane Ordinance was passed two years ago, we suggested an alternative to a central licensing office. That proposal would make animal licenses available to citizens in a manner similar to which hunting and fishing licenses are sold. Under this plan, anyone interested in providing such licenses would buy a book of licenses from the City and re-sell them through their own animal-related business (grooming clinic, pet shop, kennell, veterinary office, animal supply store and the like). The licenses would sell for a few dollars with a small proportion retained by the issuing agent to offset the cost of the service. A copy of the license could be indexed to show the type of animal, breed, sex, color, age, weight, etc. and thus serve a supplemental function for locating the owners of lost animals.
- 4. It is our conclusion that the generation of funds for the benefit of the Shelter and the Spay-Neuter Clinic will meet with greater success by the sale of a larger number of licenses at a lesser cost, rather than a few licenses at a high cost. The small advertisement on the counter of a grooming clinic will invite convenient compliance as against the time and travel that would confront the animal owner to procure licenses from a sole central location.



July 19, 1983 Page Two

5. The Fort Wayne Humane Society stands ready to provide further service to the Council in the development of this and any other Ordinance revisions as may be appropriate.

Sincerely,

Board of Directors, Fort Wayne Humane Society, Inc.



The Fort Wayne Humane Society, Inc. is a private non-profit organization dedicated to advancing the cause of humane treatment of animals.

It was organized in 1887 and has been supported by private gifts and the dues of members. Grants and bequests from the Wills of humane-minded individuals have made up the principal share of its operating funds. The Society maintains no regular office, has no paid employees, and is thus able to use 100% of its financial resources in furtherance of its announced cause.

The Fort Wayne Humane Society, Inc. is separate and distinct from the Fort Wayne Humane Animal Shelter at 2225 Dwenger Avenue, although the original Shelter and its facilities were an outright gift by the Society to the City of Fort Wayne in 1948. The Shelter is the proper agency for the enforcement of humane laws and ordinances and for caring for stray or abandoned animals.

The Society's programs include providing free emergency veterinary service to stray animals and animals belonging to indigent owners. The sponsoring of the Be-Kind-To-Animals poster contest, the dissemination of humane literature and information regarding humane laws and ordinances; assistance to the clean-up of oil spills in foreign lands, contributions for special needs and purposes at the Humane Shelter; and support of the new American Humane Association's "hearing ear" dogs for the hard-of-hearing.

DIRECTORS

Dr. Larry A. Ackerman Mr. Donald H. Borger Mrs. Betty H. Horn Mr. Robert W. Hutner Ms. Sherri Kennedy Dr. F.H. McClead Ms. Nadine Meyers Mrs. Joyce Nieter Mrs. Martha Peterson Mrs. Lilly Pion Dr. Herbert W. Salter Mr. Warren W. Wyneken

Persons interested in the Society or it's affairs are invited to contact any Director.



The City of Fort Wayne

July 29, 1983

Ms. Linda King
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. King:

Please give the attached full coverage on the dates of August 2 and August 9, 1983, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, IN

Bill No. G-83-07-21 (as amended) General Ordinance No. G-21-83

Bill No. Z-83-06-04 Zoning Map Ordinance No. Z-09-83

Please send us (8) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy

City Clerk

SEK/ne ENCL:1

LEGAL NOTICE FOR COMMON COUNCIL

Notice is hereby given that on the 26th day of July, 1983, at the Common Council meeting of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. G-83-07-21 (as amended) -- General Ordinance No. G-21-83 -- AN ORDINANCE amending General Ordinance Number G-14-81 dealing with animal control

Notice is hereby given that on the 26th day of July, 1983, at the Common Council meeting of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-83-06-04 -- Zoning Map Ordinance No. Z-09-83 -- AN ORDINANCE amending the City of Fort Wayne Zoning Map No. U-18

I, Sandra E. Kennedy, Clerk of the City of Fort Wayne, Indiana, do hereby certify that Bill No. G-83-07-21 (as amended) -- General Ordinance No. G-21-83 and Bill No. Z-83-06-04 -- Zoning Map Ordinance No. Z-09-83 were passed by the Common Council on the 26th day of July, 1983, and said Ordinances were signed and approved by the Mayor on the 28th day of July, 1983, and remains on file and on record in my office.

Copies of Bill No. G-83-07-21 (as amended) -- General Ordinance No. G-21-83 and Bill No. Z-83-06-04 -- Zoning Map Ordinance No. Z-09-83 will be posted for reading in the following places in Fort Wayne, Allen County, Indiana

- (1) The main floor of the City-County Building
- (2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. G-83-07-21 (as amended) -- General Ordinance No. G-21-83 and Bill No. Z-83-06-04 -- Zoning Map Ordinance No. Z-09-83 will be available for reading in the following places in Fort Wayne, Allen County, Indiana

(1) Reference Room in the north end of the main floor in said Downtown Public Library

(2) Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana

Sandra E. Kennedy, City Clerk

I, Sandra E. Kennedy, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on August 2, 1983

Sandra E. Kennedy, City Clerk

dra E. Kannady, City Clark

a E. Kennedy, City Clerk

Kennedy, City Clark